

12-Person Jury

Hearing Date: No hearing scheduled
 Courtroom Number: No hearing scheduled
 Location: No hearing scheduled

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 DOROTHY BROWN
 CIRCUIT CLERK
 COOK COUNTY, IL
 2020L002129

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION**

ELAINE KERN,

Plaintiff,

v.

DZAVAD KRSO and
 BLUESTAR SERVICES LLC,

Defendants.

No. 2020L002129

Plaintiff demands trial by jury

8560677

COMPLAINT AT LAW

COUNT I - NEGLIGENCE

DZAVAD KRSO and BLUE STAR SERVICES, LLC

Plaintiff, ELAINE KERN, through her attorneys, CAVANAGH LAW GROUP, complaining of Defendants, DZAVAD KRSO and BLUESTAR SERVICES LLC, alleges as follows:

1. On and before April 30, 2018, and at all times relevant hereto, Defendant, BLUESTAR SERVICES LLC, was an Illinois company licensed to do business in the State of Illinois.
2. On and before April 30, 2018, and at all times relevant hereto, Defendant, BLUESTAR SERVICES LLC, was an Illinois company with its principal place of business in the State of Illinois.
3. On and before April 30, 2018, and at all times relevant hereto, Defendant, BLUESTAR SERVICES LLC, conducted business in the County of Cook, State of Illinois and derived revenue from said Cook County, Illinois operations.



4. On April 30, 2018, and at all times relevant hereto, Interstate 95, hereinafter "I-95", was a public roadway traveling in a generally north/south direction, in the City of Pooler, County of Chatham, State of Georgia.

5. On April 30, 2018, Plaintiff, ELAINE KERN, operated and controlled a motor vehicle in a northbound direction on I-95 approximately one (1) mile north of its intersection with Interstate 16, in the City of Pooler, County of Chatham, State of Georgia.

6. On April 30, 2018, Defendant, DZAVAD KRSO, operated a semi-tractor trailer in a northbound direction on I-95 approximately one (1) mile north of its intersection with Interstate 16, traveling behind Plaintiff, ELAINE KERN, in the City of Pooler, County of Chatham, State of Georgia.

7. On April 30, 2018, the semi-tractor trailer operated by Defendant, DZAVAD KRSO, came into contact with the vehicle operated by Plaintiff, ELAINE KERN.

8. On April 30, 2018, Defendant, DZAVAD KRSO, was a duly authorized agent and/or employee of Defendant, BLUESTAR SERVICES LLC, acting within the scope of his agency and/or employment.

9. On April 30, 2018, and at all times relevant hereto, Defendant, BLUESTAR SERVICES LLC, owned the vehicle that Defendant, DZAVAD KRSO, was operating at the time of the aforesaid collision.

10. On April 30, 2018, and at all times relevant hereto, Defendant, BLUESTAR SERVICES LLC, individually, and through its duly authorized agent and/or employee, Defendant, DZAVAD KRSO, owed a duty to exercise reasonable care in the operation of their motor vehicle to avoid placing others in danger and to avoid coming into contact with another vehicle on the roadway.

11. At the time and place aforesaid, Defendant, BLUESTAR SERVICES LLC, individually, and through its duly authorized agent and/or employee, Defendant, DZAVAD KRSO, was negligent in one or more of the following respects:

- a. Failed to maintain proper control over its vehicle to avoid colliding with another vehicle;
- b. Followed another vehicle more closely than was reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway in violation of O.C.G.A. 40-6-49;
- c. Failed to exercise due care in operating a motor vehicle on the highways of this state and shall not engage in any actions which shall distract such driver from the safe operation of such vehicle in violation of O.C.G.A. 40-6-241;
- d. Drove a vehicle at a speed greater than was reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing in violation of O.C.G.A. 40-6-180; and
- e. Failed to keep and maintain a proper lookout.

12. As a direct and proximate result of one or more of the aforesaid acts or omissions of Defendants, DZAVAD KRSO and BLUESTAR SERVICES LLC, Plaintiff, ELAINE KERN, sustained injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, ELAINE KERN, prays that judgment be entered in her favor against Defendants, DZAVAD KRSO and BLUESTAR SERVICES LLC, and each of them, in an amount in excess of the jurisdictional limits of the Law Division of the Circuit Court of Cook County, Illinois, plus costs.

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